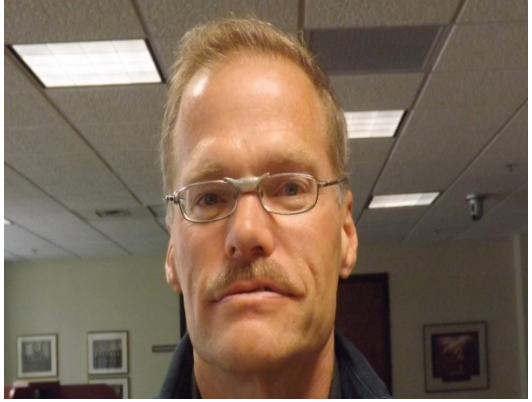


PROB 12B (Rev. 05/21/14)				<b>SUPERVISION REPORT</b> REQUEST FOR MODIFYING THE CONDITIONS OR TERM OF SUPERVISION WITH THE CONSENT OF THE OFFENDER (Probation Form 49, Waiver of Hearing is Attached)		<b>U. S. Probation Office</b> Eastern District of Michigan		DATE 07/24/2014	
NAME FINN, James				PACTS 28241		JUDGE John Corbett O'Meara		DOCKET # 07-CR-20492-01	
ORIGINAL SENTENCE DATE 09/03/2008		SUPERVISION TYPE Supervised Release  ANTICIPATED COMMENCEMENT OF TSR DATE 07/31/2014		CRIMINAL HISTORY CATEGORY I		TOTAL OFFENSE LEVEL 30		PHOTO 	
REPORT PURPOSE <b>REQUEST TO MODIFY CONDITIONS</b>									
RECOMMENDATION <b>MODIFICATION</b>									
ORIGINAL OFFENSE Count 2: 18 U.S.C. § 2252A(a)(2), Receipt of Child Pornography.									
SENTENCE DISPOSITION Custody of the Bureau of Prisons for a term of 97 months , to be followed by a three-year term of supervised release.									
ORIGINAL SPECIAL CONDITIONS <ol style="list-style-type: none"> <li>1. The defendant shall participate in a sexual deviancy program as approved by the United States Probation Department.</li> <li>2. While on supervision, the defendant shall not have any access to the internet.</li> <li>3. While on supervision, the defendant shall not have any contact with minors. The defendant shall not communicate in any fashion with any other persons having sexual interest in minors. The defendant shall not frequent places where minors congregate and meet.</li> <li>4. The defendant shall maintain compliance with all local policies as it relates to Sex Offender Registration Act.</li> <li>5. The defendant shall participate in a program approved by the probation department for substance abuse which program may include testing to determine if the defendant has reverted to the use of drugs or alcohol. If necessary.</li> </ol> <p>Criminal Monetary Penalty: Special Assessment \$100.00 (paid)</p>									
<b>PETITIONING THE COURT</b> To modify the condition(s) of probation or supervised release as follows:									
To delete the following original special conditions:  "The defendant shall participate in a sexual deviancy program as approved by the United States Probation Department."									

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<p>“While on supervision, the defendant shall not have any access to the internet.”</p> <p>“While on supervision, the defendant shall not have any contact with minors. The defendant shall not communicate in any fashion with any other persons having sexual interest in minors. The defendant shall not frequent places where minors congregate and meet.”</p> <p>“The defendant shall maintain compliance with all local polices as it relates to Sex Offender Registration Act.”</p> <p>To add the following special conditions:</p> <ol style="list-style-type: none"> <li>1. “The defendant shall comply with the requirements of the Sex Offender Registration and Notification Act (42 U.S.C. § 16901, <i>et seq.</i>) as directed by the probation officer, the United States Bureau of Prisons, or any state sex offender registration agency in which he or she resides, works, is a student, or was convicted of a qualifying offense.”</li> <li>2. “The defendant shall successfully complete any sex offender diagnostic evaluations, treatment or counseling programs, as directed by the probation officer. Reports pertaining to sex offender assessments and treatment shall be provided to the probation officer. Based on the defendant's ability to pay, the defendant shall pay the cost of diagnostic evaluations, treatment or counseling programs in an amount determined by the probation officer.”</li> <li>3. “The defendant shall be required to submit to periodic polygraph testing at the discretion of the probation officer as a means to ensure compliance with the requirements of supervision or treatment. No violation proceedings will arise solely on the results of a polygraph examination. Based on defendant's ability to pay, the defendant shall pay the cost of the polygraph examination in an amount determined by the probation officer.”</li> <li>4. “The defendant shall not associate with minor children under the age of eighteen (18), except in the presence of a responsible adult who is aware of the nature of your background and current offense, and who has been approved by the probation officer. The defendant shall not frequent places where children congregate on a regular basis (such as but not limited to school grounds, playgrounds, child toy stores, video arcades, etc.).”</li> <li>5. “The defendant shall notify anyone they date or marry with a minor child under the age of eighteen (18) of their conviction.”</li> <li>6. “The defendant shall not purchase, sell, view, or possess images, in any form of media or live venue that depict pornography, sexually explicit conduct, child erotica, or child nudity. The defendant shall not patronize any place where such material or entertainment is available.”</li> <li>7. “The defendant shall provide the probation officer with accurate information about all computer systems (hardware/software), all passwords, and Internet Service Provider(s), that the defendant has potential and/or reasonable access to and abide by all rules of the United States Probation Department's Computer Monitoring Program. The defendant shall only access a computer approved by the United States Probation Department. The defendant shall consent to the probation officer conducting periodic, unannounced examinations of all computer systems, which may include</li> </ol>			

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<p>computer monitoring software at the defendant's expense. For the purpose of accounting for all computers, hardware, software and accessories, the defendant shall submit his/her person, residence, computer and/or vehicle to a search conducted by the United States Probation Department at a reasonable time and manner. You shall inform any other residents that the premises and your computer may be subject to a search pursuant to this condition. The defendant shall provide the probation officer with access to any requested financial information including billing records (telephone, cable, internet, satellite, etc.)."</p> <p>8. "The defendant shall only access the internet through one internet capable device. All other internet capable devices, such as cellular phones and gaming consoles shall not have the internet connected. The defendant is prohibited from accessing any online computer service at any location including, but not limited to public libraries, internet cafes, and places of employment or education without the permission of the probation officer."</p> <p>9. "The defendant shall have employment pre-approved by the probation department. If the defendant's employment requires the use of a computer, the defendant shall notify the employer of the nature of their conviction and this notification must be confirmed by the probation officer."</p>			
<b>CAUSE</b>			
<p>This petition is to modify the offender's special conditions of supervised release. Since the offender has been sentenced, there have been changes in the supervision of sex offenders, and updating these conditions will better assist the probation department in supervising this offender.</p>			
<p>The Association for the Treatment of Sexual Abusers (ATSA) advises that a polygraph is an important component of sex offender treatment. "Research shows sex offenders who take polygraphs are more likely to succeed on supervision than those who do not," Anna Salter, Ph.D. thereby, reducing the risk the inmate may pose to the community. Since the offender engaged in the receipt of child pornography, it is respectfully recommended that he participate in the United States Probation Department's computer monitoring program. This tool will allow for the monitoring of inappropriate computer activity on the offender's personal computer.</p>			
<p>A criminal record check was conducted on July 14, 2014, via Access to Law Enforcement Systems (ATLAS), which reveals no new criminal activity, warrants or police contacts.</p>			
<p>Having been advised of his right to counsel and a formal hearing on this matter, the offender agreed to the modifications of supervised release. On, June 28, 2014, the offender signed the attached Probation Form 49, Waiver to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision.</p>			
<p>If your Honor agrees with this recommendation, please indicate below and return this correspondence to the probation department. If your Honor does not agree, please indicate below and direct the probation department as to how the Court wishes to proceed.</p>			

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Should your Honor have any questions or concerns, this writer may be reached at the number below.					
PROBATION OFFICER s/Michael Shock/tmg 313-234-5436				DISTRIBUTION Court	
SUPERVISING PROBATION OFFICER s/Patricia A. Trevino 313-234-5418				PROBATION ROUTING Data Entry	
<b>THE COURT ORDERS:</b>  <input checked="" type="checkbox"/> Modification as Noted Above  <input type="checkbox"/> Other					
<div style="text-align: right;"> <u>s/John Corbett O'Meara</u>          United States District Judge       </div> <div style="text-align: right;"> <u>Date: July 28, 2014</u> </div>					